

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

NEVADA POWER COMPANY,

Plaintiff,

vs.

TRENCH FRANCE SAS., et al,

Defendants.

Case No. 2:15-cv-00264-JCM-NJK

ORDER

(Docket No. 20)

Pending before the Court is Plaintiff's motion for leave to conduct jurisdictional discovery. Docket No. 20. Plaintiff represents that Defendant Trench refuses to engage in a Fed.R.Civ.P. 26(f) conference or any sort of discovery plan and, therefore, the parties will not be able to submit a joint discovery plan as required by the Federal and Local Rules. *Id.*, at 3, n. 1; Docket No. 20-1, at 3-4.

On April 29, 2015, Defendant Trench filed its motion to dismiss Plaintiff's Complaint. Docket No. 15. The Fed.R.Civ.P. 26(f) conference is required to be held within 30 days after the first defendant's answer or appearance. *See* Local Rule 26-1(d) ("Counsel for plaintiff shall initiate the scheduling of the Fed.R.Civ.P. 26(f) meeting within thirty (30) days after the first defendant answers or otherwise appears"). Therefore, the parties are required to hold their Fed.R.Civ.P. 26(f) conference no later than May 29, 2015.

The stipulated discovery plan is due 14 days after the Fed.R.Civ.P. 26(f) conference. *See* Local Rule 26-1(d) ("Fourteen (14) days after the mandatory Fed.R.Civ.P. 26(f) conference, the parties shall submit a stipulated discovery plan and scheduling order"). Accordingly, and as specifically stated on the docket,

1 the stipulated discovery plan is due no later than June 13, 2015.¹ Docket No. 15.

2 Since the dates for the mandatory Fed.R.Civ.P. 26(f) conference and the submission of the joint
3 discovery plan and proposed scheduling order have not yet passed, Plaintiff's motion for leave to conduct
4 jurisdictional discovery (Docket No. 20) is premature. The Court therefore DENIES Plaintiff's motion
5 without prejudice. The Court expects the parties to comply with the current deadlines for the Fed.R.Civ.P.
6 26(f) conference and the submission of the stipulated discovery plan and proposed scheduling order.

7 IT IS SO ORDERED.

8 DATED: May 19, 2015.

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12 NANCY J. KOPPE
13 United States Magistrate Judge
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23 The Court is cognizant that Defendant Trench's motion to dismiss remains pending. *See* Docket No.
24 15. "The Federal Rules of Civil Procedure do not provide for automatic or blanket stays of discovery when
25 a potentially dispositive motion is made." *Kor Media Group, LLC v. Green*, 294 F.R.D. 579, 581 (D. Nev.
26 2013) (quoting *Tradebay, LLC v. eBay, Inc.*, 278 F.R.D. 597, 602-03 (D. Nev. 2011)). If a stay is sought
27 by any or all parties, an appropriate request must be filed addressing the relevant standards. A party may
28 not seek to impose its own stay of discovery by refusing to engage in the required Fed.R.Civ.P. 26(f)
conference.